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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,490

04/06/2005

Yoshihiro Takagi

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

YU, XIANG

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/530,490	Applicant(s) TAKAGI, YOSHIHIRO	
	Examiner XIANG YU	Art Unit 4127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :06 April 2005; 06 June 2005; 29 March 2006; 30 November 2006; 06 July 2007; 02 October 2007.

DETAILED ACTION

1. This is a non-final Office Action in response to the present US application number 10/530,490 filed on 04/06/2005, where claims 1-21 are pending and have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-10, 13, 14, 19 and 20** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Pub. 2004/0249919 A1 to *Mattheis*.

As to **claim 1**, *Mattheis* discloses a method of distributing across a network a device driver program for controlling a network device to a client apparatus for managing the network device, comprising:

a designation step of designating range information for searching for a network device connected to the network. In particular, *Mattheis* discloses about determining the network environment, checking level of connectivity, and determining the location and IP address of the client device (page 2, paragraph [0027]). In addition, *Mattheis* also interprets the unit of the “range” to be clients connected to the network via a local area network (LAN), or internal file transfer

protocol (FTP), or across the Internet via Internet FTP server (page 4, paragraph [0056]). Each of these different connections would allow or deny the client of various updates and services that are provided by the server or host computer.

a search step of searching for the network device corresponding to the designated range information. In particular, *Mattheis* discloses about a location finding and self-updating functionality, which would allow for the detection if a location change has occurred, as well as the current location of the client device (page 4, paragraph [0058]). The tool, System Management And Reporting Tool (SMART) can perform the detection by accessing the IP address of the client device from the appropriate flags or registers (page 4, paragraph [0059]).

a distribution step of distributing a device driver program to the client apparatus for managing the network device within the range searched in the search step. In particular, *Mattheis* discloses about how “plug-ins” are pieces of compiled code which carry out dedicated tasks (page 5, paragraph [0061]). These plug-ins can be written in a variety of industry standard scripting languages and any number of plug-ins can be used with the SMART code, each with different functionality (page 5, paragraph [0061]). In this manner, SMART can keep server virus definitions updated and provide configuration, service pack installation and update capabilities on servers as well as workstations, desktops, and other client devices (page 5, paragraph [0065]).

As to **claim 2**, the rejection of claim 1 is incorporated and *Mattheis* further discloses an acquisition step of acquiring address information of the network

device on the basis of data obtained by the result of search of the network device in the search step, wherein the distribution step performs the distribution process by using the address information acquired in the acquisition step. In particular, *Mattheis* discloses about the location finding and updating functionality of SMART. From the results of the searching or after detecting the location of the client device, SMART accesses the IP address from appropriate flags and/or registers to acquire more information (page 4, paragraph [0059]). Afterwards, SMART determines whether a distribution share is accessible and if updates are needed to be performed. If yes, then the files can be distributed based on the IP address information obtained previously (pages 4-5, paragraphs [0059-0060]).

As to **claim 3**, the rejection of claim 1 is incorporated and *Mattheis* further discloses a recognition step of recognizing a preparation completion notification indicating that an accepting module which is activated in the client apparatus as a transfer destination of the device driver program and receives the device driver program is prepared, wherein the distribution step distributes the device driver program in response to recognition of the preparation completion notification in the recognition step. In particular, *Mattheis* discloses how SMART would determine whether updates are needed by accessing the internal clock and checking whether the date/time stamp of current versions of application code running on the client device are older than a predetermined update interval (pages 4-5, paragraph [0060]). This is interpreted as the completing the preparations and if the update is required, that would be the recognition step,

which would invoke SMART to launch the update engine. The update engine would then distribute the update or device driver by executing the necessary plug-ins or scripts (pages 4-5, paragraph [0060]).

As to **claim 4**, the rejection of claims 1 and 2 is incorporated and *Mattheis* further discloses the acquisition step acquires network address information corresponding to the range information for search, on the basis of data obtained by the result of search of the network device. In particular, *Mattheis* discloses how SMART knows where a given [client] is located by determining the IP address of the system and how the system is configured by reading the pertinent registers [in the client] (page 6, paragraph [0088]). In addition, the step of acquiring network address information is from reading the appropriate registers and/or flags of the client device (page 4, paragraph [0059]).

As to **claim 5**, the rejection of claim 1 is incorporated and *Mattheis* further discloses the range designated to search for the network device is designated for each domain, each OU (Organization Unit) in a directory service, or each IP address. In particular, *Mattheis* discloses the unit of the range to be in the form of IP addresses and they all differ depending on the level of the connection such as via a local area network, internal FTP servers, or Internet FTP servers (page 4, paragraph [0056]).

As to **claims 6**, it is the apparatus claim corresponding to method claim 1 and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the apparatus is taught by the method.

As to **claim 7**, it is the computer program claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the computer program is taught by the method.

As to **claim 8**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be the domain of the term “range” which is taught by the method.

As to **claim 9**, the rejection of claim 8 is incorporated and *Mattheis* further discloses the geographical range information designated to search for the network device contains a room, floor, or building of a structure in which the network device is installed, or a municipality, a prefecture, or a nation in which the network device is installed. In particular, *Mattheis* discloses the range of the search to be either via a local area network, internal FTP servers, or external FTP servers (page 4, paragraph [0056]). These ranges are all with respect to a specific company or enterprise (page 2, paragraph [0026] and page 4, paragraph [0056]), meaning they are within an enclosed space or building.

As to **claim 10**, it is the same method claim corresponding to method claim 3, and is rejected under the same reasons set forth in connection with the rejection of claim 3.

As to **claim 13**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the

rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

As to **claim 14**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

As to **claim 19**, it is the computer-readable storage medium claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the computer-readable storage medium is taught by the method.

As to **claim 20**, it is the computer-readable storage medium claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-10, 13-15, 17-21** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Pub. 2002/0083431 A1 to *Machida*.

As to **claim 1**, *Machida* discloses a method of distributing across a network a device driver program for controlling a network device to a client apparatus for managing the network device, comprising:

a designation step of designating range information for searching for a network device connected to the network. In particular, *Machida* discloses an information processing unit comprising determining means for determining a plurality of client units on which driver information is to be installed [depending on a network range] (page 1, paragraph [0018]). In addition, *Machida* further discloses a method of obtaining the connection status information for all the PCs and the peripheral devices in the network by means of a device managing module (Fig. 2, S201; page 3, paragraph [0071]).

a search step of searching for the network device corresponding to the designated range information. In particular, *Machida* discloses a step in the driver setup for selecting client units on which a driver is to be set up [based on the domain or range] (Fig. 7; page 4, paragraph [0083]).

a distribution step of distributing a device driver program to the client apparatus for managing the network device within the range searched in the search step. In particular, *Machida* discloses of a transmission controlling means for controlling distribution of driver information that controls a peripheral device connected to the client units to the plurality of clients determined [earlier] by the determining means [step] (page 1, paragraph [0018]).

As to **claim 2**, the rejection of claim 1 is incorporated and *Machida* further discloses an acquisition step of acquiring address information of the network device on the basis of data obtained by the result of search of the network device in the search step, wherein the distribution step performs the distribution process by using the address information acquired in the acquisition step. In particular, *Machida* discloses of 1) an exemplary driver information structure (Fig. 3) which contains relevant information about a specific peripheral device on the network, 2) an exemplary screen displaying the PCs and peripheral devices on the network (Fig. 4), and 3) an exemplary screen displaying the driver setup status of each client unit on a network (Fig. 5). All this information is obtained or acquired in the searching and acquisition step previously mentioned.

As to **claim 3**, the rejection of claim 1 is incorporated and *Machida* further discloses a recognition step of recognizing a preparation completion notification indicating that an accepting module which is activated in the client apparatus as a transfer destination of the device driver program and receives the device driver program is prepared, wherein the distribution step distributes the device driver program in response to recognition of the preparation completion notification in the recognition step. In particular, *Machida* discloses of how the information processing unit [comprises of] recognizing means for recognizing a setup instruction (pages 1-2, paragraph [0019]). In addition, *Machida* further discloses in Fig. 35 of an exemplary processing at each client unit where steps S3501 to S3504 are all preliminary steps before the preparations are completed and the

client unit receives the specified driver in S3505 (Fig. 35; page 6, paragraph [0101]).

As to **claim 4**, the rejection of claims 1 and 2 is incorporated and *Machida* further discloses the acquisition step acquires network address information corresponding to the range information for search, on the basis of data obtained by the result of search of the network device. In particular, *Machida* discloses in Fig. 3 where the acquired data contains relevant information regarding the address or IP address of the networked device or client. This IP address would be corresponding to the range that was set in the earlier determining step.

As to **claim 5**, the rejection of claim 1 is incorporated and *Machida* further discloses the range designated to search for the network device is designated for each domain, each OU (Organization Unit) in a directory service, or each IP address. In particular, *Machida* discloses the unit of the range to be in the form of IP addresses across various domains (Fig. 7; page 4, paragraph [0083]).

As to **claims 6**, it is the apparatus claim corresponding to method claim 1 and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the apparatus is taught by the method.

As to **claim 7**, it is the computer program claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the computer program is taught by the method.

As to **claim 8**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the

rejection of claim 1, since the term “geographical range” can be defined to be the domain of the term “range” which is taught by the method.

As to **claim 9**, the rejection of claim 8 is incorporated and *Mattheis* further discloses the geographical range information designated to search for the network device contains a room, floor, or building of a structure in which the network device is installed, or a municipality, a prefecture, or a nation in which the network device is installed. In particular, *Machida* discloses that the current embodiment is in reference to a local area network (page 3, paragraph [0065]). This usually implies limited range such that they could be enclosed within a building or a plurality of buildings in a limited range.

As to **claim 10**, it is the same method claim corresponding to method claim 3, and is rejected under the same reasons set forth in connection with the rejection of claim 3.

As to **claim 13**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

As to **claim 14**, it is the same method claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

As to **claim 15**, *Machida* discloses a method of distributing across a network a device driver program for controlling a network device to a client apparatus for managing the network device, comprising:

a first search step of searching for the client apparatus connected to the network by using a first device search module generated on the basis of script information. In particular, *Machida* discloses of a device managing module which can obtain the connection status information for the PCs (S201; page 3, paragraph [0071]). The script information would be contained within the searching module.

a second search step of searching for a network device connected to a client apparatus found in the first search step by using a second search module generated on the basis of script information. In particular, *Machida* discloses from Fig. 4 how the search can result in a plurality of both clients and the peripheral devices associated with the client (Fig 4, 403ab is the client device, 403ac is the peripheral Mechida FAX and 403ad is the peripheral Pm2000; Fig. 12; Fig. 13).

and a distribution step of distributing to the client apparatus the device driver program for controlling a network device found in the second search step. In particular, *Machida* discloses of a transmission controlling means for controlling distribution of driver information that controls a peripheral device connected to the client units (page 1, paragraph [0018]).

As to **claim 17**, it is the apparatus claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the apparatus is taught by the method.

As to **claim 18**, it is the computer program claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the computer program is taught by the method.

As to **claim 19**, it is the computer-readable storage medium claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the computer-readable storage medium is taught by the method.

As to **claim 20**, it is the computer-readable storage medium claim corresponding to method claim 1, and is rejected under the same reasons set forth in connection with the rejection of claim 1, since the term “geographical range” can be defined to be as limited as the term “range” which is taught by the method.

As to **claim 21**, it is the computer-readable storage medium claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the computer-readable storage medium is taught by the method.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 11 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0249919 A1 to *Mattheis* in view of U.S. Patent Pub. 2002/0184304 A1 to *Meade, II et al.* ("*Meade, II*").

As to **claim 11**, the rejection of claim 8 is incorporated and *Mattheis* further discloses comprising a setting step of allowing the network device to detect position information corresponding to the geographical range, and set the detected position information in a memory such that the detected position information can be compared with the geographical range information. In particular, *Mattheis* discloses the location finding and self-updating functionality of SMART, where the current location of the client device can be determined in a continuous process loop if there are no changes (Fig. 5, 520; page 4, paragraph [0059]). Hence, there is a constant comparison of the current "detected position information" with the next updated position information depending on the network range information. In addition, the term "geographical range" can be interpreted to be the domain of a local area network.

Mattheis does not expressly disclose where the current detected position information is stored such that it could be used to compare with the next updated position information.

Meade, II discloses about how the host computer and each of the peripheral devices each have a global positioning system (GPS) within their structure (Fig. 1A). As such, they are all capable of detecting and determining their geographical locations. In addition, *Meade, II* further discloses an administration server that maintains a topology database, which contains information with respect to the locations, features and capabilities of the peripheral devices (page 3, paragraph [0029]). The host computer would go through the administration server for any service request sending along information with respect to the location of the host computer (page 3, paragraph [0030]) and comparing the location with the closest stored location of the peripheral devices.

Mattheis and *Meade, II* are analogous art because they are from the field of endeavor with respect to determining and updating the host and peripheral device locations over a specified geographical range.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the intermediate step of setting or storing the location of the host and peripheral device in a memory bank or administration server of some sort, such that it can be used later for further verifications. The suggestion/motivation for including the step would have been to be precise and

detailed in tracking or locating the host computer or any other devices in the specified range.

As to **claim 12**, the rejection of claims 8 and 11 is incorporated and *Meade, II* further discloses the setting step sets the position information corresponding to the geographical range in the memory on the basis of information detected by using a GPS. In particular as mentioned in claim 11, *Meade, II* further discloses an administration server that maintains a topology database, which contains information with respect to the geographical locations, features and capabilities of the peripheral devices (page 3, paragraph [0029]).

Meade, II does not expressly disclose how the information is set or stored into the administration server.

Mattheis discloses about how plug-ins are relied on within SMART to perform all forms of dedicated tasks. In particular, using SMART's plug-in architecture, SMART can be implemented to manage a distributed server infrastructure. SMART can keep server virus definitions updated and provide configuration, service pack installation, and update capabilities on servers as well as workstations, desktops, and other client devices (page 5, paragraph [0065]). This can be modified such that SMART can also keep geographical locations updated and stored within a database all through the use of plug-ins.

Mattheis and *Meade, II* are analogous art because they are from the field of endeavor with respect to determining and updating the host and peripheral

device locations over a specified geographical range and being able to store that information.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use macros or scripts or plug-ins to perform these various tasks of updating and setting or storing the data of the geographical location within a determined database. The suggestion/motivation for using the plug-ins to set or store the geographical location information from the GPS for either the host or any of the peripheral devices would have been to be more efficient through the use of macros.

8. **Claims 15, 16, 17, 18, and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0249919 A1 to *Mattheis* in view of U.S. Patent 6,473,854 B1 to *Fleming, III*.

As to **claim 15**, *Mattheis* discloses a method of distributing across a network a device driver program for controlling a network device to a client apparatus for managing the network device, comprising:

a first search step of searching for the client apparatus connected to the network by using a first device search module generated on the basis of script information. In particular, *Mattheis* discloses about the location finding and self-updating functionality of the SMART engine, which would detect if a location change has occurred, as well as the current location of the client device (paragraph [0058]). The term "first device search module" is interpreted as a

searching module functionality incorporated within the SMART engine. The term “script information” is interpreted as the information of the designated range or geographical range as determined from the beginning step.

a second search step of searching for a network device connected to a client apparatus found in the first search step by using a second search module generated on the basis of script information. In particular, *Mattheis* discloses how SMART would determine whether a distribution share is accessible and whether updates are available (pages 4-5, paragraphs [0058] and [0060]).

and a distribution step of distributing to the client apparatus the device driver program for controlling a network device found in the second search step. In particular, *Mattheis* discloses how SMART would be able to determine whether updates are if so, that would be the recognition step, which would invoke SMART to launch the update engine. The update engine would then distribute the update or device driver by executing the necessary plug-ins or scripts (pages 4-5, paragraph [0060]).

Mattheis does not expressly disclose the entire second step of searching for a network device connected to the client apparatus. In particular, *Mattheis* assumes there is a network device connected already and proceeds straight to searching for whether if a distribution share is accessible and whether updates are available if needed (pages 4-5, paragraphs [0058] and [0060]).

Fleming, III does disclose more specifically the second step of searching for a network device connected to the client apparatus. In particular, *Fleming, III*

discloses specifically the method of detecting the presence of a device in a computer system for which no current driver is installed (abstract; column 2, lines 1-3) and goes on in further steps to install the current and up-to-date driver. In addition, *Fleming, III* discloses one exemplary embodiment where the step of detecting the presence of the device takes place as part of the normal power on self test (POST) process with boot code (Fig. 3, 302; column 5, lines 32-35). The term “script information” would be interpreted as the interval when the device powers on and the detecting feature is within those procedures.

Mattheis and *Fleming, III* are analogous art because they are from the field of endeavor with respect to distributing and updating software or device drivers across a specified network range.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the intermediate step of searching for the network device and making sure it is connected to the client apparatus, before going on to check for the updates for the device. The suggestion/motivation for including the step would have been to be precise and detailed in the descriptions such that anyone can read it and understand the procedures.

As to **claim 16**, the rejection of claim 15 is incorporated and *Mattheis* further discloses the script information for generating the second device search module contains range information concerning a network address for specifying the network device or information concerning a geographical range. In particular, *Mattheis* discloses how SMART knows where a given [client] is located by

determining the [network] IP address of the system (page 6, paragraph [0088]).

The term “second device search module” is interpreted as a searching module functionality incorporated within the SMART engine. The term “script information” is interpreted as the information of the designated range or geographical range as determined from the beginning step.

As to **claim 17**, it is the apparatus claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the apparatus is taught by the method.

As to **claim 18**, it is the computer program claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the computer program is taught by the method.

As to **claim 21**, it is the computer-readable storage medium claim corresponding to method claim 15 and is rejected under the same suggestion/motivation set forth in connection with the rejection of claim 15, since the computer-readable storage medium is taught by the method.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIANG YU whose telephone number is (571)270-5695. The examiner can normally be reached on Monday - Friday 8:00am - 5:00pm with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on (571)272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/X. Y./

Examiner, Art Unit 4127

/Derrick W Ferris/

Supervisory Patent Examiner, Art Unit 4127